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By: Teresa A. Fleming

Typed Name: Teresa A. Fleming

Date of Deposit: 10/18/01

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Inventors: David M. Zendzian  
Title: NETWORK-MONITORING SYSTEM  
Filing Date: 5/4/2001  
Serial Number: 09/848,870  
Group Art Unit: 2131  
Examiner: Unknown

**RECEIVED**  
JAN 16 2002  
Technology Center 2100

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; or
- ☐ a fee of \$240.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; and
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in § 1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III  
Reg. No.: 41,752

Signature: Hoyt A. Fleming III

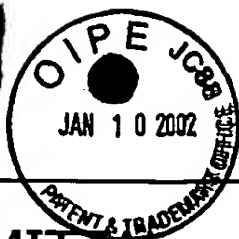
Date: 10/18/01

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28422

PATENT TRADEMARK OFFICE



2131

# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application No.	09/848,870
Filing Date	5/4/2001
First Named Inventor	David M. Zendzian
Group Art Unit	2131
Examiner Name	Unknown
Attorney Docket No.	DMZ01-0001

Total Number of Pages in this Submission: 3

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Check for \$ _____ <input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Assignment Papers for an application <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After-Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s):
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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Hoyt A. Fleming III	 28422 PATENT TRADEMARK OFFICE	Date	10/18/01
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## CERTIFICATE OF MAILING

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Type or Printed Name	Teresa A. Fleming	Signature	
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# INFORMATION DISCLOSURE CITATION

PTO-1449

ATTY. DOCKET NO.  
DMZ01-0001

APPLICATION NO.  
09/848,870

APPLICANTS  
David M. Zendzian

FILING DATE  
5/4/2001

GROUP ART UNIT  
2131

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

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## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Reynolds et al., Protection Profile Title: Role-Based Access Control Protection Profile, Version 1.0, July 30, 1998

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.